



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

**CRL OP(MD). Nos.17912, 17916 and 17919 of 2025
and
Crl.M.P(MD).Nos.14676, 14685 and 14688 of 2025**

1. Osthin Raja,
2. T.Nelson Raja,
3. Thandayuthapani,

... Petitioners
in all Crl.O.Ps

Vs

1. The State of Tamilnadu,
Rep by the Inspector of Police,
CBCID-OCU, Tirunelveli,
Tirunelveli District.
Crime No.1119/2009.
2. The State of Tamilnadu,
Rep by the Inspector of Police,
Kottar Police Station ,
Nagercoil, Kanyakumari District.
3. Manikavasagam,
Registrar,
Alagappa University,
Karaikudi, Sivagangai District. ... Respondents
in all Crl.O.Ps

Prayer in Crl.O.P(MD).No.17912 of 2025 :- Criminal Original Petition
is filed under Section 482 of Criminal Procedure Code, to transfer the



proceedings in C.C.No.414/2019 on the file of the Judicial Magistrate No.I, Nagercoil, Kanyakumari District, to the file of a competent Judicial Magistrate Court at Madurai, to secure the ends of justice.

Prayer in Crl.O.P(MD).No.17916 of 2025 :- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to transfer the proceedings in C.C.No.124/2018 on the file of the Judicial Magistrate No.I, Nagercoil, Kanyakumari District, to the file of a competent Judicial Magistrate Court at Madurai, to secure the ends of justice.

Prayer in Crl.O.P(MD).No.17919 of 2025 :- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to transfer the proceedings in C.C.No.322/2019 on the file of the Judicial Magistrate No.I, Nagercoil, Kanyakumari District, to the file of a competent Judicial Magistrate Court at Madurai, to secure the ends of justice.

For Petitioner : Mr.R.Russel Raj,
(In all Crl.O.Ps)
For R1 and R2 : Mr.R.M.Anbunithi
(In all Crl.O.Ps) Additional Public Prosecutor

COMMON ORDER

The petitioner seeks transfer of the proceedings in C.C.Nos.124 of 2018 and 322, 414 of 2019 on the file of the Judicial magistrate No.I, Nagercoil, Kanyakumari District to the file of the competent Judicial Magistrate Court at Madurai.

2. The main ground of the petitioner for transfer is that out of 26 victims, one of the victim is a practicing lawyer in the local Bar and he is



also the member of the local bar association and that no one is willing to appear for the petitioner in all the cases and therefore, in order to ensure a fair trial, all the cases have to be transferred to any Judicial Magistrate in Madurai.

3. The learned Additional Public Prosecutor, on instructions, would submit that there are 26 victims in each of the cases and all the victims belonging to Nagercoil and if the cases are now transferred, at the instance of the petitioner, it would cause great hardship to several witnesses and these petitions have been filed only to delay the proceedings. He would further submit that the cases were registered in the year 2009 and the final report has been filed in the years 2018 and 2019 and that a lawyer is representing the petitioner and Legal Aid Counsels are also willing to appear for the petitioner.

4. The cases are pending from the year 2018 without any progress. It is now stated that the cases are posted for the examination of L.W.1 to L.W.3. It is not known as to why the cases are pending from the year 2018. The cases cannot be transferred for the reasons stated by the



petitioner, as a lawyer is representing him. Further, there are 26 victims in each of the cases and all of them would be put to hardships. The petitioner can always engage any lawyer from outside the District, even assuming that the local Bar is refusing to appear for the petitioner.

5. Since the occurrence took place in the year 2009, the learned Judicial Magistrate shall dispose of all the cases within a period of one year from the date of receipt of a copy of this order.

6. With the above directions, these Criminal Original Petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

TTA/ars

22.10.2025



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To

1. The Inspector of Police,
CBCID-OCU, Tirunelveli,
Tirunelveli District.
Crime No.1119/2009.
2. The Inspector of Police,
Kottar Police Station ,
Nagercoil,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SUNDER MOHAN,J

TTA /ars

**ORDER
IN**

CRL OP(MD) No.17912 of 2025

Date : 22/10/2025